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February 2, 2016

VIA ECF

The Honorable Barbara Moses
United States Magistrate Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Courtroom 9A
New York, NY 10007-1312

Re: *Royal Park Investments SA/NV v. Deutsche Bank National Trust Company*,
Civil Action No. 1:14-cv-04394-AJN-BCM (S.D.N.Y.)

Dear Magistrate Moses:

I write in advance of the February 4, 2016 discovery conference to respectfully request that, in addition to addressing the discovery dispute set forth in the parties' letters (Dkt. Nos. 83, 85 & 97), the Court consider extending the discovery deadlines previously agreed to by the parties and approved by the Court. Defendant Deutsche Bank National Trust Company, solely in its capacity as trustee (the "Trustee"), joins in this letter.

On April 2, 2015, the parties submitted an Initial Report of Parties Before Pretrial Conference proposing a schedule for the completion of discovery, filing of dispositive motions and other deadlines. Dkt. No. 62. On April 10, 2015, following the Initial Pretrial Conference on April 10, 2015, the parties' proposed schedule was approved by the Court (the "Order"). Dkt. No. 63. The parties respectfully submit that there is good cause to extend the deadlines set forth in the Order.

Briefing on the Trustee's motion to dismiss was completed on May 15, 2015. The Court has yet to issue a ruling. Because the Court designated this case for inclusion in the Pilot Project Regarding Case Management Techniques for Complex Civil Cases in the Southern District of New York (Dkt Nos. 3, & 62 at I.3.), discovery is stayed pending the Court's decision on the Trustee's motion to dismiss except for "discovery of documents, electronically stored information and tangible things." Although the parties have been working to complete document discovery, including from numerous third parties, no depositions have been taken to date, no interrogatories or

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The Honorable Barbara Moses
February 2, 2016
Page 2

requests for admission have been served, and substantial work remains to complete the discovery process.

Both plaintiff and the Trustee are parties to separate cases pending before Judge Berman that involve, in part, similar issues.¹ *Royal Park Investments SA/NV v. Wells Fargo Bank, N.A.*, No. 14-CV-09764 (RMB/SN); *Blackrock Balanced Capital Portfolio (FI), et al. v. Deutsche Bank National Trust Company, et al.*, No. 14-CV-09367 (RMBS/SN). In those cases, all fact discovery is currently scheduled to be completed by October 31, 2016. Extending the fact discovery deadline in this case to be consistent with the deadline currently set in the cases before Judge Berman would allow the parties to complete the discovery process in all cases in an efficient manner.

The parties respectfully request the opportunity to discuss this in further detail with the Court during the February 4, 2016 discovery conference.

Very truly yours,



CHRISTOPHER M. WOOD

CMW:drd

cc: All counsel of record via ECF

¹ Judge Berman has six cases pending before him in which trustees of residential mortgage-backed securitization ("RMBS") trusts are defendants. In those cases, the Trustee is a defendant in one case brought by the BlackRock plaintiffs, and Royal Park is a plaintiff in another case against Wells Fargo as RMBS trustee.